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Attorney Docket 4430-18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Andrew D. Barofsky & Kenton W. Gregory

Serial No.: 08/797,770 ✓

Art Unit: 3738

Filed: February 7, 1997

Examiner: Paul Prebilio

For: METHOD FOR USING TROPOELASTIN AND FOR PRODUCING  
TROPOELASTIN BIOMATERIALS

I HEREBY CERTIFY THAT THE  
CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE  
AS FIRST CLASS MAIL IN AN ENVELOPE  
ADDRESSED TO:  
☐ COMMISSIONER OF PATENTS AND  
TRADEMARKS, WASHINGTON D.C. 20231  
☒ ASSISTANT COMMISSIONER FOR  
PATENTS, WASHINGTON D.C. 20231  
☐ ASSISTANT COMMISSIONER FOR  
TRADEMARKS, 2000 CRYSTAL DRIVE,  
ARLINGTON, VA 22202-3513

ON: June 6, 2000

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION UNDER 37 CFR 1.321(b)

I, Jerome S. Marger, the disclaimant herein, represents that I am the attorney of record for  
the above-captioned application. The extent of the Applicant's interest is in the whole of the  
invention.

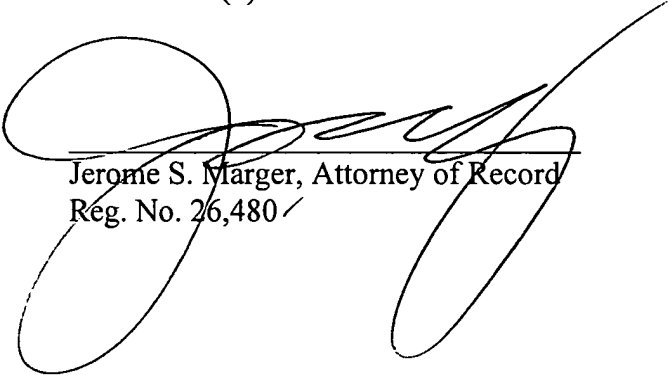
Applicant hereby disclaims the terminal part of any patent granted on the above-identified  
application, U.S. Serial No. 08/797,770, which would extend beyond the expiration date of the  
full statutory term of U.S. Patent No. 5,989,244, and

Applicant hereby agrees that any patent so granted on the above-identified application  
shall be enforceable only for and during such period that the legal title to said patent shall be the  
same as the legal title to Patent No. 5,989,244, this agreement to run with any patent granted on  
the above-identified application and to be binding upon the grantor, its successors or assigns.

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Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,989,244, in the event that it later expires for failure to pay a maintenance fee, or is held unenforceable, or is found invalid, or is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), or has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Attached is the fee prescribed under 37 CFR 1.20(d).



Jerome S. Marger, Attorney of Record  
Reg. No. 26,480 ✓

Date: June 6, 2000

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